

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**AXION POWER INTERNATIONAL, INC.,
WILLIAM AND TRACY AHEARN, h/w,
SALLYONNER, and JAMES SMITH, M.D.,**

Plaintiffs,

-against-

**MERCATUS & PARTNERS, LTD.,
CARI MASI a/k/a CARY MASI,
STEPHANO CEVALO,
AND DWIGHT PARSCALE,**

Defendants.

**07 CV 11493
(RWS) (AJP)**

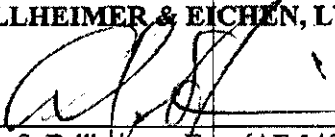
**STIPULATION
EXTENDING TIME
TO ANSWER FOR
DWIGHT PARSCALE**

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the respective parties that Dwight Parscale's time to file an answer, move or to otherwise respond to the Amended Complaint, dated May 6, 2008, is extended until August 31, 2008; and

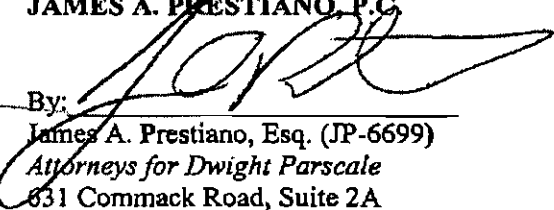
IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be executed in counterparts, and a signature transmitted by telecopier or pdf image may be filed as an original.

Dated: Commack, New York
July 18, 2008

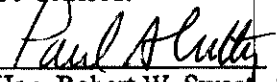
FELLHEIMER & EICHEN, LLP.

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So Ordered:


Hon. Robert W. Sweet
United States District Judge

Paul A. Crotty - Part I

